In the High Court of Punjab and Haryana, Chandigarh.

CWP No. 19324 of 2006

Date of Decision: 7.12.2006

Ajaib Singh

....Petitioner

Versus

State of Punjab and others.

....Respondents.

Coram:- Hon'ble Mr.Justice J.S. Khehar.
Hon'ble Mr. Justice S.D. Anand.

Present: Mr. L.S. Sidhu, Advocate
for the petitioner.

...

J.S. Khehar, J. (Oral).

The petitioner claims to have rendered military service before he was inducted into the office of the respondents as a Junior Auditor, on 1.12.1975. He is stated to have retired on attaining the age of superannuation from his civil employment w.e.f. 31.3.2003.

Through the instant writ petition, the petitioner claims, that the military service rendered by him from 23.7.1965 to 31.1.1975 should be counted as qualifying service. For the aforesaid purpose, the petitioner is stated to have issued a legal notice dated 5.12.2005 (Annexure P-3). Since no decision has been rendered thereon, a writ in the nature of mandamus has been sought for directing respondent No.4 i.e. the Director, Treasury and Accounts, Punjab, to take a final decision on the legal notice dated

5.12.2005 (Annexure P-3).

In view of the innocuous prayer made by the learned counsel for the petitioner, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition with a direction to respondent No.4 i.e. the Director, Treasury and Accounts, Punjab, to take a final decision on the legal notice dated 5.12.2005 (Annexure P-3) by passing a well reasoned speaking order, within two months from the date of receipt of a certified copy of this order. In case, the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to him within a further period of one month.

Disposed of accordingly.

Order dasti on payment of usual charges.

(J.S. Khehar)
Judge.

(S.D. Anand)
Judge.

7.12.2006
sk.